



BILLING CODE 6717-01-P  
DEPARTMENT OF ENERGY  
Federal Energy Regulatory Commission

[Project No. 13806-004]

5440 Hydro Inc.; Notice Of Application Accepted For Filing With The Commission, Intent To Waive Scoping, Soliciting Motions To Intervene And Protests, Ready For Environmental Analysis, And Soliciting Comments, Terms And Conditions, And Recommendations, And Establishing An Expedited Schedule For Processing

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

- a. Type of Application: Exemption From Licensing
- b. Project No.: P-13806-004
- c. Date filed: July 28, 2014
- d. Applicant: 5440 Hydro Inc.
- e. Name of Project: Brooklyn Dam Hydroelectric Project
- f. Location: On the Upper Ammonoosuc River, in the Town of Northumberland, Coos County, New Hampshire. The project would not occupy lands of the United States.
- g. Filed Pursuant to: Public Utility Regulatory Policies Act of 1978, 16 U.S.C. 2705, 2708.
- h. Applicant Contact: Lutz Loegters, 5440 Hydro Inc., 717 Atlantic Avenue, Suite 1A, Boston, Massachusetts 02111, (416) 643-6615.
- i. FERC Contact: John Ramer, (202) 502-8969, [john.ramer@ferc.gov](mailto:john.ramer@ferc.gov).
- j. Deadline for filing motions to intervene and protests, comments, terms and conditions, and recommendations: Due to the small size and location of this project and the close

coordination with state and federal agencies during preparation of the application, the 60-day timeframe in 18 CFR 4.34(b) is shortened. Instead, motions to intervene and protests, comments, terms and conditions, and recommendations are due 30 days from the issuance date of this notice. All reply comments must be filed with the Commission within 45 days from the issuance date of this notice.

The Commission strongly encourages electronic filing. Please file motions to intervene, protests, comments, and recommendations using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. The first page of any filing should include docket number P-13806-004.

The Commission's Rules of Practice require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. This application has been accepted for filing and is now ready for environmental analysis.

l. The Brooklyn Dam Hydroelectric Project would consist of: (1) an existing 163-foot-long and 14-foot-high dam that includes: (a) a 113-foot-long spillway with a crest elevation 878.69 feet National Geodetic Vertical Datum of 1929 (NGVD29); (b) 2.50-foot-high flashboards with a crest elevation 881.23 feet NGVD29; and (c) a 50-foot-long floodgate structure with four 6.9-foot-wide, 10-foot-high floodgates; (2) an existing 100-foot-long, 45-foot-wide forebay with three 15.2-foot-wide, 15.5-foot-high trashracks with 1.0-inch open bar spacing; (3) an existing 40-foot-long, 15.78-foot-high tailrace training wall; (4) an existing 9-foot-wide, 9-foot-high side waste gate; (5) an existing 26-acre impoundment having a gross storage capacity of 52-acre-feet at elevation 881.23 feet NGVD29; (6) an existing 45-foot-long, 48-foot-wide, and 23-foot-high brick and concrete powerhouse that would contain two proposed 300-kilowatt (kW), Kaplan turbine-generating units for a total installed capacity of 600 kW; (7) an existing 48-foot-long, 45-foot-wide tailrace; (8) a proposed 400-foot-long 35.4-kilovolt above-ground transmission line; (9) three proposed single phased transformers; and (10) appurtenant facilities. On average, the project would generate approximately 2,800 megawatt-hours

annually. The applicant proposes to remove a non-operating sluice gate on the spillway, rehabilitate the powerhouse, and operate the project in a run-of-river mode.

m. Due to the project works already existing and the limited scope of proposed rehabilitation of the project site described above, the applicant's close coordination with federal and state agencies during the preparation of the application, completed studies during pre-filing consultation, and agency recommended preliminary terms and conditions, we intend to waive scoping and expedite the exemption process. Based on a review of the application, resource agency consultation letters including the preliminary 30(c) terms and conditions, and comments filed to date, Commission staff intends to prepare a single environmental assessment (EA). Commission staff determined that the issues that need to be addressed in its EA have been adequately identified during the pre-filing period, which included a public meeting and site visit, and no new issues are likely to be identified through additional scoping. The EA will consider assessing the potential effects of project construction and operation on aquatic, terrestrial, threatened and endangered species, recreation and land use, aesthetic, and cultural and historic resources.

n. A copy of the application is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support. A copy is also available for inspection and reproduction at the address in item h above.

Register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

o. Any qualified applicant desiring to file a competing application must submit to the Commission, on or before the specified intervention deadline date, a competing development application, or a notice of intent to file such an application. Submission of a timely notice of intent allows an interested person to file the competing development application no later than 120 days after the specified intervention deadline date. Applications for preliminary permits will not be accepted in response to this notice.

A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, and must include an unequivocal statement of intent to submit a development application. A notice of intent must be served on the applicant(s) named in this public notice.

Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In

determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

All filings must (1) bear in all capital letters the title "PROTEST", "MOTION TO INTERVENE", "NOTICE OF INTENT TO FILE COMPETING APPLICATION," "COMPETING APPLICATION," "COMMENTS," "REPLY COMMENTS," "RECOMMENDATIONS," or "TERMS AND CONDITIONS;" (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, recommendations, terms and conditions or prescriptions must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

p. Procedural Schedule: The application will be processed according to the following procedural schedule. Revisions to the schedule may be made as appropriate.

MILESTONE	TARGET DATE
Notice of the availability of the EA	October 1, 2015

Dated: April 23, 2015.

Kimberly D. Bose,  
Secretary.

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